

Indiana's Request for Waivers for SIG I003(g) FY 2010

Please email comments to 1003g@doe.in.gov

WAIVERS OF SEA REQUIREMENTS

Indiana requests a waiver of the State-level requirements it has indicated below. The State believes that the requested waiver(s) will increase its ability to implement the SIG program effectively in eligible schools in the State in order to improve the quality of instruction and raise the academic achievement of students in Tier I, Tier II, and Tier III schools.

Waiver 1: Tier II waiver

In order to enable the State to generate new lists of Tier I, Tier II, and Tier III schools for its FY 2010 competition, waive paragraph (a)(2) of the definition of —persistently lowest-achieving schools|| in Section I.A.3 of the SIG final requirements and incorporation of that definition in identifying Tier II schools under Section I.A.1(b) of those requirements to permit the State to include, in the pool of secondary schools from which it determines those that are the persistently lowest-achieving schools in the State, secondary schools participating under Title I, Part A of the ESEA that have not made adequate yearly progress (AYP) for at least two consecutive years or are in the State's lowest quintile of performance based on proficiency rates on the State's assessments in reading/language arts and mathematics combined.

Assurance

The State assures that it will include in the pool of schools from which it identifies its Tier II schools all Title I secondary schools not identified in Tier I that either (1) have not made AYP for at least two consecutive years; or (2) are in the State's lowest quintile of performance based on proficiency rates on the State's assessments in reading/language arts and mathematics combined. Within that pool, the State assures that it will identify as Tier II schools the persistently lowest-achieving schools in accordance with its approved definition. The State is attaching the list of schools and their level of achievement (as determined under paragraph (b) of the definition of —persistently lowest-achieving schools||) that would be identified as Tier II schools without the waiver and those that would be identified with the waiver. The State assures that it will ensure that any LEA that chooses to use SIG funds in a Title I secondary school that becomes an eligible Tier II school based on this waiver will comply with the SIG final requirements for serving that school.

Note: An SEA that requested and received the Tier II waiver for its FY 2009 definition of “persistently lowest achieving schools” should request the waiver again only if it is generating new lists of Tier I, Tier II, and Tier III.

Waiver 2: n-size waiver

In order to enable the State to generate new lists of Tier I, Tier II, and Tier III schools for its FY 2010 competition, waive the definition of —persistently lowest-achieving schools|| in Section I.A.3 of the SIG final requirements and the use of that definition in Section I.A.1(a) and (b) of those requirements to permit the State to exclude, from the pool of schools from which it identifies the persistently lowest-achieving schools for Tier I and Tier II, any school in which the total number of students in the —all students|| group in the grades assessed is less than 40.

Assurance

The State assures that it determined whether it needs to identify five percent of schools or five schools in each tier prior to excluding small schools below its —minimum n.|| The State is attaching, and will post on its Web site, a list of the schools in each tier that it will exclude under this waiver and the number of students in each school on which that determination is

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based. The State will include its —minimum n|| in its definition of —persistently lowest-achieving schools.|| In addition, the State will include in its list of Tier III schools any schools excluded from the pool of schools from which it identified the persistently lowest-achieving schools in accordance with this waiver.

Note: An SEA that requested and received the n-size waiver for its FY 2009 definition of “persistently lowest-achieving schools” should request the waiver again only if it is generating new lists of Tier I, Tier II, and Tier III schools.

WAIVERS OF LEA REQUIREMENTS

Indiana requests a waiver of the requirements it has indicated below. These waivers would allow any local educational agency (LEA) in the State that receives a School Improvement Grant to use those funds in accordance with the final requirements for School Improvement Grants and the LEA's application for a grant.

The State believes that the requested waiver(s) will increase the quality of instruction for students and improve the academic achievement of students in Tier I, Tier II, and Tier III schools by enabling an LEA to use more effectively the school improvement funds to implement one of the four school intervention models in its Tier I, Tier II, or Tier III schools. The four school intervention models are specifically designed to raise substantially the achievement of students in the State's Tier I, Tier II, and Tier III schools.

Waiver 4: School improvement timeline waiver

Waive section 1116(b)(12) of the ESEA to permit LEAs to allow their Tier I, Tier II, and Tier III Title I participating schools that will fully implement a turnaround or restart model beginning in the 2011–2012 school year to —start over|| in the school improvement timeline.

Assurances

The State assures that it will permit an LEA to implement this waiver only if the LEA receives a School Improvement Grant and requests the waiver in its application as part of a plan to implement the turnaround or restart model beginning in 2011–2012 in a school that the SEA has approved it to serve. As such, the LEA may only implement the waiver in Tier I, Tier II, and Tier III schools, as applicable, included in its application.

The State assures that, if it is granted this waiver, it will submit to the U.S. Department of Education a report that sets forth the name and NCES District Identification Number for each LEA implementing a waiver.

Note: An SEA that requested and received the school improvement timeline waiver for the FY 2009 competition and wishes to also receive the waiver for the FY 2010 competition must request the waiver again in this application.

Schools that started implementation of a turnaround or restart model in the 2010-2011 school year cannot request this waiver to “start over” their school improvement timeline again.

Waiver 5: Schoolwide program waiver

Waive the 40 percent poverty eligibility threshold in section 1114(a)(1) of the ESEA to permit

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LEAs to implement a schoolwide program in a Tier I, Tier II, or Tier III Title I participating school that does not meet the poverty threshold and is fully implementing one of the four school intervention models.

Assurances

The State assures that it will permit an LEA to implement this waiver only if the LEA receives a School Improvement Grant and requests to implement the waiver in its application. As such, the LEA may only implement the waiver in Tier I, Tier II, and Tier III schools, as applicable, included in its application.

The State assures that, if it is granted this waiver, it will submit to the U.S. Department of Education a report that sets forth the name and NCES District Identification Number for each LEA implementing a waiver.

Note: An SEA that requested and received the schoolwide program waiver for the FY 2009 competition and wishes to also receive the waiver for the FY 2010 competition must request the waiver again in this application.

PERIOD OF AVAILABILITY WAIVER

Indiana requests a waiver of the requirement indicated below. The State believes that the requested waiver will increase its ability to implement the SIG program effectively in eligible schools in the State in order to improve the quality of instruction and improve the academic achievement of students in Tier I, Tier II, and Tier III schools.

Waiver 6: Period of availability of FY 2009 carryover funds waiver

Waive section 421(b) of the General Education Provisions Act (20 U.S.C. § 1225(b)) to extend the period of availability of FY 2009 carryover school improvement funds for the SEA and all of its LEAs to September 30, 2014.

Note: This waiver only applies to FY 2009 carryover funds. An SEA that requested and received this waiver for the FY 2009 competition and wishes to also receive the waiver to apply to FY 2009 carryover funds in order to make them available for three full years for schools awarded SIG funds through the FY 2010 competition must request the waiver again in this application.